

**DECLARATION FOR PATENT APPLICATION**

Docket Number:

L-0170.23

As the below named inventors, we hereby declare that:

Our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: AN ELECTRONIC CONTROL SYSTEM FOR A BEVERAGE DISPENSER, the specification of which is attached hereto unless the following box is checked:

was filed on \_\_\_\_\_ as United States Application Number or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. §119 (a) – (d) or §365 (b) of any foreign application for patent or inventor's certificate, or § 365 (a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application

Prior Not Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>

We hereby claim the benefit under 35 U.S.C. § 119 (e) of any United States provisional application listed below.

_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)

60/135,076  
(Application Number)

May 20, 1999  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

We hereby claim the benefits under 35 U.S.C. § 120 of any United States application or §365(c) of any PCT international application designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. §112.

We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Number)	(Filing Date)	(Status – patented,pending,abandoned)
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(Application Number)	(Filing Date)	(Status – patented,pending,abandoned)
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We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Christopher L. Makay, Reg. No. 34,475 and Albert J. Makay, Reg. No. 37,527

Direct all telephone calls to: Christopher L. Makay at (210) 472-3535

Address all correspondence to:

LAW OFFICES OF CHRISTOPHER L. MAKAY  
1634 Milam Building  
115 East Travis Street  
San Antonio, Texas 78205

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such application or any patent issued thereon.

Full name of first joint inventor (given name, family name)

David C. Sudolcan

Dave C. Sudolcan  
(Inventor's signature)

5/17/2000  
(Date)

12365 Rudolph Rd, #1, Atascosa, Texas 78002  
(Residence)

U.S.A.  
(Citizenship)

SAME AS RESIDENCE  
(Post Office Address)

Full name of second joint inventor (given name, family name)

Thomas J. Chadwell

Thomas J. Chadwell  
(Inventor's signature)

5/18/2000  
(Date)

3539 Oakhorne, San Antonio, Texas 78247  
(Residence)

U.S.A.  
(Citizenship)

SAME AS RESIDENCE  
(Post Office Address)

#### CERTIFICATE OF EXPRESS MAIL

I hereby certify that the foregoing documents are being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Express Mail No. EL343438171US Date: 5/19/00

K. D. Makay

K.D. Makay

ASSIGNMENT

WHEREAS, WE, David C. Sudolcan and Thomas J. Chadwell, citizens of the United States, residing at 12365 Rudolph Rd, #1, Atascosa, Texas 78002 and 3539 Oakhorse, San Antonio, Texas 78247, respectively, (hereinafter referred to as "Assignors") have invented certain new and useful improvements in AN ELECTRONIC CONTROL SYSTEM FOR A BEVERAGE DISPENSER, for which we have executed an application for Letters Patent of the United States, of even date herewith; and

WHEREAS, LANCER PARTNERSHIP, LTD., a Texas limited liability partnership whose business address is 6655 Lancer Blvd. San Antonio, Texas 78219, is desirous of obtaining the entire right, title and interest in, to and under the said improvement and the said application.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said Assignors, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said Assignee, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner for Patents of the United States, and any official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patents for said improvements to the said Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

Assignors further assign to Assignee, its successors, assigns or other legal representatives, any and all claims for damages by reason of past and continuing infringement of said patents, and the right to sue for and collect the same for its own use and benefit and that of its successors, assigns or other legal representatives.

WE HEREBY covenant that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

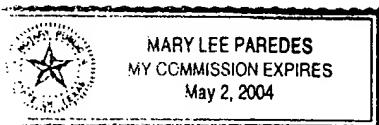
WE HEREBY further covenant and agree that we will communicate to the said Assignee, its successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, and generally do everything possible to aid the said Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand this 17 day  
of May, 2000.

*David C. Sudolcan*  
David C. Sudolcan

STATE OF TEXAS §  
COUNTY OF BEXAR §

On this 17<sup>th</sup> day of May, 2000, before me, a Notary  
Public, personally appeared David C. Sudolcan, to me known to be the person of that  
name, who signed the foregoing instrument, and he acknowledge the same to be his free  
act and deed.



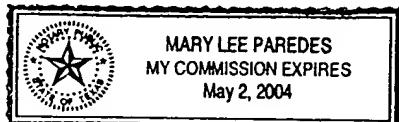
*Mary Lee Paredes*  
Notary Public, State of Texas  
My Commission Expires: 5/02/04

IN TESTIMONY WHEREOF, I hereunto set my hand this 18  
day of May, 2000.

*Thomas J. Chadwell*  
Thomas J. Chadwell

STATE OF TEXAS §  
COUNTY OF BEXAR §

On this 18<sup>th</sup> day of May, 2000, before me, a Notary  
Public, personally appeared Thomas J. Chadwell, to me known to be the person of that  
name, who signed the foregoing instrument, and he acknowledge the same to be his free  
act and deed.



*Mary Lee Paredes*  
Notary Public, State of Texas  
My Commission Expires: 5/02/04

RECORDATION FORM COVER SHEET  
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party (ies):

David C. Sudolcan  
Thomas J. ChadwellAdditional name(s) of conveying party (ies) attached? NO Yes/ No

## 3. Nature of conveyance:

Assignment       Merger

Security Agreement       Change of Name

Other \_\_\_\_\_

Execution Date: May 18, 2000

## 2. Name and address of receiving party (ies)

Name: LANCER PARTNERSHIP, LTD.

Internal Address: \_\_\_\_\_

Street Address: 6655 Lancer Blvd.City: San Antonio State: TX ZIP: 78219Additional name(s) & address (es) attached? NO Yes/ No

## 4. Application number (s) or patent number (s):

If this document is being filed together with a new application, the execution date of the application is: May 19, 2000

## A. Patent Application No.(s)

## B. Patent No.(s)

Additional numbers attached? NO Yes/ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

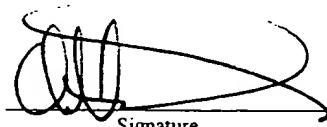
Name: CHRISTOPHER L. MAKAYInternal Address: 1634 Milam BuildingStreet Address: 115 East Travis StreetCity: San Antonio State: TX ZIP: 782056. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41) ..... \$ 40.00 Enclosed Authorized to be charged to deposit account

## 8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Christopher L. Makay  
Name of Person Signing
  
Signature
19 May 2000  
DateTotal number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required coversheet information to:  
 Commissioner of Patents & Trademarks, Box Assignments  
 Washington, D.C. 20231